

REMARKS

Claims 1-28 are pending in this application. Attached hereto is a complete listing of all claims in the application, with their current status listed parenthetically. By this Response, claims 16, 23 and 28 have been amended and are presented with markings to indicate their current amendments, and claims 1-10 have been cancelled, without prejudice to later prosecution.

Claim Objections

In paragraph 1 of the Office Action, the Examiner objects to a typographical error in claim 28. In response, Applicant has amended claim 28 to correct the typographical error.

Rejection under 35 U.S.C. § 112, 2nd paragraph

In paragraph 2 of the Office Action, the Examiner rejects claims 6-8 as being indefinite. Applicant has cancelled claims 6-8, without prejudice to later prosecution, and thus, this rejection is now moot.

Rejection under 35 U.S.C. § 102

Pending claims 1-6, 8-9 and 11-27 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent 6,754,195 (“Webster”). As discussed below, Applicant respectfully traverses this rejection.

Regarding the rejection of claims 1-6 and 8-9, Applicant has cancelled these claims, without prejudice to later prosecution, and submits that the rejection of these claims is now moot.

A. The Law of Anticipation and Enabling Prior Art References

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. M.P.E.P. § 2131. The identical invention must be shown in as complete detail as is contained in the claim. *Id.*

However, Applicant submits that independent claims 11, 16 and 23 have elements that cannot be found, either expressly or inherently, in Webster. For example, claim 11 recites:

An ultra-wideband communication device, comprising:
a first transceiver structured to communicate at a first data rate; and
a second transceiver structured to communicate at a second data rate.

Webster has no teaching or suggestion of an ultra-wideband communication device that includes two transceivers. The Examiner directs Applicant to FIG. 1, and col. 6, lines 1-40 as teaching the elements recited in Applicant's claim 11. However, FIG. 1 illustrates a conventional WLAN that employs both 802.11b and 802.11g communication devices. Col. 6, lines 1-40 discusses this WLAN arrangement, but does not discuss the construction specifics of the communication devices. But, it is well known that 802.11b and 802.11g communication devices do not include two transceivers.

To be specific, Webster teaches: "**a transmitter** configured to transmit according to a mixed waveform configuration and **a receiver** configured to acquire and receive packets with a mixed waveform configuration" (col. 2, lines 46-49) [emphasis added]. Webster's FIG. 16 illustrates a block diagram of a transmitter that shows various components of **the single transmitter**. Webster contains no teaching or suggestion of one device that contains two transceivers, with each transceiver structured to communicate at a different data rate, as recited in Applicant's claim 11. Accordingly, Applicant respectfully submits that Webster cannot anticipate originally-filed claim 11.

Similarly, Applicant's independent claim 16 now recites, in part:

" . . . at least two ultra-wideband communication devices, each device structured to transmit and receive data using at least two data rates, and each device including a first transceiver structured to communicate at a first data rate and a second transceiver structured to communicate at a second data rate. . ."

As discussed above, Webster contains no teaching or suggestion of an ultra-wideband communication device that includes two transceivers.

And finally, Applicant's independent claim 23 now recites, in part:

" . . . an ultra-wideband communication device comprising a first transceiver structured to communicate at a first data rate and a second transceiver structured to communicate at a second data rate. . ."

As discussed above, Webster contains no teaching or suggestion of an ultra-wideband communication device that includes two transceivers. Accordingly, Applicant respectfully submits that Webster cannot anticipate claims 16 or 23.

Applicant respectfully submits that the above-described amendments and the accompanying response have traversed the rejection of independent claims 11, 16 and 23. Claims 12-15, 17-22 and 24-27 depend from claims 11, 16 and 23, respectively, and accordingly it is respectfully submitted that the rejection of claims 12-15, 17-22 and 24-27 has been traversed by virtue of their dependency from claims 11, 16 and 23. M.P.E.P. § 2143.03.

Rejection Under 35 U.S.C. § 103(a)

In paragraphs 6 and 7 of the Office Action, claims 7, 10 and 28 stand rejected as unpatentable under 35 U.S.C. § 103(a) over Webster. Applicant respectfully traverses this rejection.

Regarding the rejection of claims 7 and 10, Applicant has cancelled these claims, without prejudice to later prosecution, and submits that the rejection of these claims is now moot.

Claim 28 depends from independent claim 23, and accordingly it is respectfully submitted that the rejection of claim 28 has been traversed by virtue of its dependency from claim 23. M.P.E.P. § 2143.03.

Conclusion

Applicant believes that this Response has addressed all items in the Office Action and now places the application in condition for allowance. Accordingly, favorable reconsideration and allowance of claims 11-28 at an early date is solicited. No fee is believed due with this response. However, the Commissioner is authorized to charge any fee required to our Deposit Account No. 50-3143, in the name of Pulse-Link, Inc. Should any issues remain unresolved, the Examiner is invited to telephone the undersigned.

Respectfully submitted,

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Date



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